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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,336	01/16/2001	Uri Zernik	SFTO0002	7527
22862	7590	06/13/2006	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/764,336

Applicant(s)

ZERNIK ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-17,20, and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) 22-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-17,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 3/28/06.

This action is made Final

Claims 1, 3-17, and 20-21 are pending in this application. Claims 1, 11, 12, 13, 20, and 21 are independent claims. In the Amendment, filed on 3/28/06, claims 1, 11, and 12 were amended, claims 2, 18, and 19 were cancelled, claims 22-28 were withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 13, 15-17, 20, and 21 are rejected under 35 U.S.C. 102(a) as being anticipated by Leshem et al. (US 5,870,559).

As per claim 13, Leshem et al. teaches a method of presenting information comprising:
analyzing textual content of the information (col. 18, lines 22-45);
generating a signature based on textual content (col. 9, lines 56-68; Examiner interprets different type to be different textual content);
associating the textual content with image content according to said signature (col. 9, lines 56-68, Examiner interprets icons to be a image); and

displaying the image content to illustrate the information (col. 10, lines 15-36, col. 16, lines 35-48).

As per claim 15, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein the image content is not included in the information (col. 9, lines 54-68, col. 10, lines 1-15).

As per claim 16, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein metadata associated with the image content is correlated with the textual content according to said signature to determine the image content that is associated with the textual content (col. 10, lines 15-36, col. 16, lines 35-48).

As per claim 17, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein the information includes a web site (fig. 14. item 196).

As per claim 20, it rejected with the same rationale as claim 13. (see rejection above)

As per claim 21, it rejected with the same rationale as claim 13. (see rejection above)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leshem et al. (US 5,870,559) in view of Sciammarella et al. (US 5,982,369).

As per claim 1, Leshem et al. teaches A method of presenting a search result comprising:
determining categories for found information by analyzing the content of the information
(col. 18, lines 22-45);

correlating the categories with images that represent the categories (col. 9, lines 56-68;
Examiner interprets different type to be different categories); and

displaying images that correspond to the categories (col. 9, lines 56-68, Examiner
interprets icons to be a image);

wherein images corresponding to the found information are displayed when a user
activates one of the categories (col. 10, lines 15-36, col. 16, lines 35-48).

However Leshem fails to teach analyzing the subject content of the information.

Sciammarella teaches analyzing the content of the information and correlating the
categories with images that represent the categories. (column 2, lines 1-30)

It would have been obvious to an artisan at the time of the invention to include
Sciammarella's teaching with method of Leshem in order to provide the user with a graphical
display of search results that indicate relevancy of the results to the search terms.

As per claim 3, Leshem et al. teaches A method of presenting a search result as recited in
claim 1, wherein the user activates one of the categories by dragging a cursor over the image that
corresponds to the category (col. 16, lines 26-48).

As per claim 4, Leshem et al. teaches A method of presenting a search result as recited in
claim 1 wherein 20 the display is a grid (fig. 4, item 80).

As per claim 5, Leshem et al. teaches a method of presenting a search result as recited in claim 1, wherein the information includes a plurality of web sites (col. 16, lines 26-48).

As per claim 6, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including providing a rotating display of content from the web sites (fig. 18, item 30).

As per claim 7, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including providing a video display of content from the web sites (col. 10, lines 1-15).

As per claim 8, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including rating each web site according to whether the web site includes image content that is relevant to textual content on the web site (col. 16, lines 26-48).

As per claim 10, Leshem et al. teaches a method of presenting a search result as recited in claim 6, wherein dynamically displaying content from the web sites includes showing representative images from the web site that correspond to textual content in the web site (col. 16, lines 26-48).

As per claim 11, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 12, it is rejected with the same rationale as claim 1. (see rejection above)

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leshem et al. (US 5,870,559) Sciammarella et al. (US 5,982,369) further in view of Yamamoto et al. (US 6,467,026).

As per claim 9, Leshem and Sciammarella fail to teach a method of presenting a search result as recited in claim 1, wherein the information includes information stored on a DVD.

Yamamoto et al. teaches a method of presenting a search result as recited in claim 1, wherein the information includes information stored on a DVD (col. 9, lines 27-40)

It would have been obvious to an artisan at the time of the invention to include Yamamoto et al.'s teaching with method of Leshem and Sciammarella in order to allow the data to be permanently stored.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leshem et al. (US 5,870,559) in view of Horvitz et al. (US 6,085,226).

As per claim 14, Leshem fails to teach a method of presenting information as recited in claim 13, wherein the image content is included in the information.

Horvitz teaches a method of presenting information as recited in claim 13, wherein the image content is included in the information (Fig. 15A)

It would have been obvious to an artisan at the time of the invention to include Horvitz et al. teaching with Leshem et al.'s method in order to provide user with a preview of the search results.

Response to Argument

Applicant's arguments regarding claim 13, filed on 3/28/06 have been fully considered but they are not persuasive.

Applicant argued that Leshem fails to teach displaying the image content to illustrate the information: wherein said signature identifies words, phrases, expressions, and concept that said image may be useful in representing.

The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, Leshem teaches this limitation because Leshem teaches displaying the image content that relates to type and format of the files. (col. 10, lines 15-36, col. 16, lines 35-48). The type and format of the files can be represented by words and phrases and they are concepts to those ordinary skilled in the art. (The concept of HTML would give those ordinary skilled in the art the knowledge as to what applications can be used to edit the file) Furthermore these

images are useful in representing the information because they let the users know what applications can be used to show the content of the files.

Applicant's arguments with respect to claims 1, 11, and 12 have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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